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OLC 73-0883

24 July 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Upcoming Colby Confirmation Hearings

1. During a conversation this morning, Senator Symington told me that he planned to have Mr. Colby appear tomorrow at 2:30 p.m. in executive session before the full Senate Armed Services Committee. He said the Committee had agreed to a special request from Senator Edward Kennedy that he be allowed to participate, adding that in responding to questions by Kennedy, Mr. Colby should "keep his cool" and try to stick to brief factual answers. Senator Symington expects Senator Kennedy's questions to center on two areas--Phoenix and the Agency's responsiveness to the Justice Department, Special Prosecutor Cox and the Ervin Committee on questions relating to Watergate.

2. I later discussed tomorrow's hearing with Jim Woolsey, General Counsel, Senate Armed Services Committee, who said he didn't know when the transcript of the hearing last Friday (20 July), where the witnesses opposed the Colby nomination, would be available--but probably not until tomorrow morning. Meanwhile, Woolsey recommended that we get a copy of the supplementary statement which had been submitted by witnesses in behalf of the CARIC Committee. He said Mr. Colby should bring with him the following documentary backup material:

- a. All three volumes of material already provided the Committee.
- b. Volume IV which consists of supplementary material which Woolsey has reviewed with [redacted]
- c. A chronology of all of the Agency's dealings with Justice, FBI and Cox with regard to Watergate.
- d. A copy of the various directives regarding the Phoenix program which would demonstrate efforts to correct abuses in the program.

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3. In this connection Mr. Woolsey said Mr. Colby should have readily at hand a copy of the [] memo and the memo relating to []. He also said Mr. Colby should be prepared to throw any light he can on the question of who, if anyone, told [] to "forget about" the contacts Hunt had with the Agency in connection with the "Plumbers" operation.

4. Mr. Woolsey said it might be useful for Mr. Colby to have available an unclassified statement which could be put out at the time of the hearing in refutation of the public accusations made by the witnesses last Friday, i. e., Drinan, []. He pointed out the press is always clamoring for something and this might serve to quiet them down, although he was not sure whether the Chairman would favor it.

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